

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MICHIGAN

RICHARD L. BAIRD,

Plaintiff,

v

DANA M. NESSEL, FADWA A.
HAMMOUD, and KYM L. WORTHY,

Defendants.

Case No.: 2:24-cv-11205-RJW-
KGA

Judge: Robert J. White

Magistrate Judge: Kimberly G.
Altman

42 USC 1983

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**THE PLAINTIFF'S MOTION TO WITHDRAW
PLAINTIFF'S MOTION TO COMPEL RULE 26(f) CONFERENCE**

For the reasons outlined in the accompanying Brief, Plaintiff respectfully requests that the Court grant its Motion to Withdraw Plaintiff's Motion to Compel a Rule 26(f) Conference. (ECF 43. 43-1 & 43-2, Page ID. 816-843). Under Local Rule 7.1(d), the attached certificate describes the Plaintiff's counsel's good-faith efforts to resolve the parties' dispute in connection with this Motion.

Respectfully Submitted By:

Dated: December 27, 2024

/s/ Michael B. Rizik, Jr.

Michael B. Rizik, Jr. (P33431)

RIZIK & RIZIK

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**BRIEF SUPPORTING PLAINTIFF'S MOTION TO WITHDRAW
PLAINTIFF'S MOTION TO COMPEL RULE 26(f) CONFERENCE**

Plaintiff Richard L. Baird respectfully requests that the Court grant Plaintiff's Motion to Withdraw Plaintiff's Motion to Compel Rule 26(f) Conference. (ECF 43. 43-1 & 43-2, Page ID. 816-843). According to Local Rule 7.1(a), Plaintiff certifies that on December 19, 2024, at 9:00 a.m., the parties' attorneys convened a Zoom meeting to discuss the Defendants' concurrence with a Rule 26(f) conference, which included, among other things, discovery discussions. The Defendants refused to agree to the Rule 26(f) conference and discovery. On December 23, 2024, Plaintiff prematurely filed his Motion to Compel because, despite discovery being one issue, this attorney overlooked the Court's Case Management Requirements, II (B) (Step 2), which mandates "email [to] the Court's case manager with (i) the conference

request, (ii) a concise summary of the dispute, and (iii) a certification that Step 1 was completed.”

Respectfully Submitted By:

Dated: December 27, 2024

/s/ Michael B. Rizik, Jr.

Michael B. Rizik, Jr. (P33431)

RIZIK & RIZIK

Attorney for Plaintiff

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**LOCAL RULE 7.1(d) CERTIFICATE OF COMPLIANCE
IN SUPPORT OF THE PLAINTIFF'S MOTION TO WITHDRAW
PLAINTIFF'S MOTION TO COMPEL RULE 26(f) CONFERENCE**

I, Michael B. Rizik, Jr., along with Michael W. Edmunds of Gault Davison, PC, and Nancy A. Temple of Katten & Temple, LLP represent Plaintiff Richard L. Baird. In compliance with Local Rule 7.1(d), we certify that we, as Plaintiff's counsel, made the following efforts to confer in good faith with Defendants' counsel to resolve the e Rule 26(f) conference dispute.

On December 19, 2024, at 9:00 a.m., the parties' attorneys convened a Zoom meeting to discuss the Defendants' concurrence with a Rule 26(f) conference, which included, among other things, discovery discussions. By the end of the Zoom, the Defendants refused to agree to the Rule 26(f) conference and discovery. On December 23, 2024, Plaintiff prematurely filed his Motion to Compel because,

despite discovery being one issue, this attorney overlooked the Court's Case Management Requirements, II (B) (Step 2), which mandates "email [to] the Court's case manager with (i) the conference request, (ii) a concise summary of the dispute, and (iii) a certification that Step 1 was completed."

Respectfully Submitted By:

Dated: December 27, 2024

/s/ Michael B. Rizik, Jr.

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